

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:16CR300 RLW
	)	
MARK A. BECKHAM,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the Memorandum and Report and Recommendation of United States Magistrate Judge Shirley Padmore Mensah (ECF No. 52). Defendant Beckham filed a Motion to Dismiss Count 2 of the Indictment (ECF No. 35) and a Motion to Suppress Physical Evidence and Statements Obtained from Defendant after July 23, 2012 (ECF No. 36). The Government filed Responses in opposition to Defendant's motions (ECF Nos. 43, 44). On November 29, 2016, Magistrate Judge Mensah held an evidentiary hearing on the motions.

Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Mensah, who filed a Memorandum and Report and Recommendation on January 12, 2017 (ECF No. 52). Defendant Beckham filed objections to the Report and Recommendation on January 26, 2017 (ECF No. 54), and the Government filed its response on February 2, 2017 (ECF No. 55). Defendant Beckham objects to Magistrate Judge Mensah's finding that Count 2 of the indictment fell within the applicable statute of limitations and was not time-barred. Defendant also objects to Judge Mensah's finding that Defendant failed to satisfy the factors set forth in *United States v. Gruenwald*, 987 F.2d 531 (8th Cir. 1993). The Court finds that Defendant Beckham's objections are not persuasive.

Magistrate Judge Mensah recommends that the Motion to Dismiss Count 2 of the Indictment (ECF No. 35) and Motion to Suppress Physical Evidence and Statements Obtained from Defendant after July 23, 2012 (ECF No. 36) be denied. After *de novo* review of this matter, the Court adopts the Magistrate Judge's recommendation.

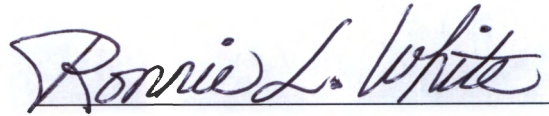
Accordingly,

**IT IS HEREBY ORDERED** that the Memorandum and Report and Recommendation of United States Magistrate Judge Shirley Padmore Mensah (ECF No. 52) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendant Beckham's Motion to Dismiss Count 2 of the Indictment (ECF No. 35) is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant Beckham's Motion to Suppress Physical Evidence and Statements Obtained from Defendant after July 23, 2012 (ECF No. 36) is **DENIED**.

Dated this 3rd day of February, 2017.

  
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RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE